

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DIVISION OF TEXAS
HOUSTON DIVISION**

JOSE GOMEZ,

Plaintiff,

V.

CITY OF HOUSTON, TEXAS;

JACOB. B. SIMMERMAN, *Individually*;

RON KLOEPPPEL, a *Individually*; and

CHRISTOPHER E. HEAVEN, *Individually,*

Defendants.

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**Civil Action No.: 4:18-cv-1224
(Jury)**

MOTION TO AMEND SCHEDULING ORDER

TO THE HONORABLE KENNETH M. HOYT:

NOW COMES the Plaintiff and files this motion to amend the scheduling order by three months and will show the Court the following:

PROCEDURE

April 18, 2018 Plaintiff filed his original complaint.

Defendant Simmerman answered the lawsuit August 25, 2018.

Plaintiff's deadline to designate experts is August 30, 2019.

I. ARGUMENT

Judges have broad authority to extend scheduling order deadlines. Plaintiff has, at the request of the defendants, and in the last few days seen a doctor for a common test regarding mobility and his ability to work as in the moving business as Plaintiff has for many years. Plaintiff needs to request these records for a medical evaluation as to future damages regarding lost wages.

Furthermore, plaintiff's police practices expert Roger Clark needs more time to finish his expert report.

This request is not for delay only but that justice be done.

There is no prejudice to any party by the granting of this motion.

WHEREFORE, Plaintiff requests this Court grant this motion to amend the scheduling order and for all other relief in law and/or equity.

Respectfully submitted,

/s/ Randall L. Kallinen

Randall L. Kallinen

Kallinen Law PLLC

State Bar of Texas No. 00790995

U.S. Southern District of Texas Bar No.: 19417

511 Broadway Street

Houston, Texas 77012

Telephone: 713.320.3785

FAX: 713.893.6737

E-mail: AttorneyKallinen@aol.com

Attorney for Plaintiff

Mike DeGeurin

Foreman, DeGeurin & DeGeurin

Federal Bar No. 3558

300 Main Street, 3rd Floor Houston, Texas 77002

Telephone: 713.655.9000

FAX: 713.655.1812

Email: mdegeurin@foremandegeurin.com

CERTIFICATE OF CONFERENCE

I certify I have conferred in good faith by email with opposing counsel August 30, 2019, however, they did not respond yet. When they respond Plaintiff shall inform the court.

/s/ Randall L. Kallinen

Randall L. Kallinen

CERTIFICATE OF SERVICE

I certify I have served a true and correct copy of the foregoing to all ECF notice counsel on August 30, 2019 by filing with the Court's ECF System.

/s/ Randall L. Kallinen
Randall L. Kallinen